

**AO 440 (Rev. 06/12) Summons in a Civil Action**

UNITED STATES DISTRICT COURT  
for the  
**Eastern District of New York**

MANUEL MEJIA MENDEZ, individually and on behalf )  
of others similarly situated, )  
 )  
Plaintiff(s) )  
v. )  
 )  
BAR PIZZERIA RESTAURANT PRIMERA )  
LTD.(d/b/a VINICIO'S RESTAURANT), BANTE )  
CORPORATION (d/b/a VINICIO'S RESTAURANT), )  
TEOFILO VENICIO MENDEZ, And GLORIA DOE, )  
Defendant(s) )  
 )  
Civil Action No. 25-cv-1615

## **SUMMONS IN A CIVIL ACTION**

**To: (Defendant's name and address) see attached rider**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**MICHAEL FAILLACE ESQ.  
60 East 42nd Street, Suite 4510  
New York, New York 10165  
Telephone: (212) 317-1200**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**BRENNNA B. MAHONEY**  
*CLERK OF COURT*

Shirley Mora  
Signature of Clerk

Date: 3/24/2025



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
-----, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify):* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_ *Server's signature* \_\_\_\_\_

*Printed name and title* \_\_\_\_\_

*Server's address* \_\_\_\_\_

Additional information regarding attempted service, etc:

Michael Faillace [MF-8436]  
Michael Faillace Esq.  
60 East 42nd Street, Suite 4510  
New York, New York 10165  
(212) 317-1200  
*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
*CARLOS LOPEZ, individually and on behalf of  
others similarly  
situated,*

*Plaintiff,*

***RIDER TO REQUEST FOR  
SUMMONS***

-against-

BAR PIZZERIA RESTAURANT PRIMERA  
LTD.(d/b/a VINICIO'S RESTAURANT),  
BANTE CORPORATION (d/b/a VINICIO'S  
RESTAURANT), TEOFILO VENICIO  
MENDEZ, And GLORIA DOE,  
*Defendants.*

Primera Pizzeria LTD.(d/b/a Vinicio's Restaurant)  
40-2 1 108th Street, Queens,  
New York 11368

Bante Corporation (d/b/a Vinicio's Restaurant)  
40-2 1 108th Street, Queens,  
New York 11368

Teofilo Venicio Mendez  
40-2 1 108th Street, Queens,  
New York 11368

Gloria Doe  
40-2 1 108th Street, Queens,  
New York 11368